## 2011 Comprehensive Plan & Zoning Review - Property Owner Requests - February14, 2012

## FREDERICK REGION CASE INFORMATION PROPERTY Pre-2010 Existing Requested **BOCC** Staff Comments Previous Comp Plan: Rural Community CPZ11-FR-01 TAX MAP: 40 **Rural Community Rural Community Rural Community** Previous Zoning: R1 PARCEL: 378 lots 2 &3 COMP Staff would not object to the R-1, which would be consistent with the ACRES: approx. 25 acres APPLICANT: PLAN current Rural Community plan designation. If the property is currently LOCATION: north side BY motion to restore. being used as a garden center, R-1 zoning would create a non-Charles M. Boyles Fish Hatchery Road at US BS second. Vote: 4-1 conformity. 15 R1 (DG opposed) R-1 Α ZONING CPZ11-FR-02 TAX MAP: 48 Previous Comp Plan: Institutional, Ag/Rural, Resource Conservation Aq/Rural Aa/Rural Aq/Rural Previous Zoning: A, RC PARCEL: part of 104 COMP Resource Conserv. **Natural Resource** Cemetery use is not permitted in the RC zone. ACRES: 8.365 PLAN BY motion to restore. Staff recommends maintaining RC zoning and Natural Resources APPLICANT: Institutional LOCATION: east side US Resthaven Memorial Plan designation only on the 100 year FEMA floodplain area, with A KD second. 15 just south of Old zoning applied to the remaining portion of the property outside of the Gardens, Inc. Frederick Rd Vote: 4-0-1 (DG floodplain. Α Α Α abstained) RC RC **ZONING** TAX MAP: 48 Previous Comp Plan: Rural Subdivision CPZ11-FR-03 **Rural Subdivision** Aq/Rural **Rural Residential** Previous Zoning: R-1. A PARCEL: 305 COMP The property was zoned R-1 (4.75 ac.) and A (5.5 ac.) in 2002. Prior ACRES: 10.3318 BY motion to restore. to 2002, the property was zoned only A. Staff does not object to APPLICANT: PLAN LOCATION: west side BS second. Vote: 4-1 restoring prior R-1 zoning on entire parcel to avoid split zoning. Ronald and Tracy Masser Road at Willis Ln. (DG opposed) Barbieto R-1 w/ analysis to clarify R-1 (4.75 ac) Α acreage. **ZONING** A (5.5 ac) CPZ11-FR-04 TAX MAP: 47 Previous Comp Plan: Rural Community **Rural Community Natural Resource Rural Residential** Previous Zoning: R-1 PARCEL: 19 COMP Parcel has a high percentage of steep slopes between 15% and 25% ACRES: 23.326 PLAN APPLICANT: and is a contiguous portion of forested land connecting to the LOCATION: n/s Indian BY motion to restore. Frederick Municipal Watershed and Catoctin Mountain. The are two Merhl Allen Wachter Springs Road west of Mt. KD second. Vote: 4- small DNR mapped wetlands on the property. The RC zoning allows Laurel Estates subdivision into two lots. 1 (DG opposed) R-1 RC R-1 **ZONING** Previous Comp Plan: Ag/Rural CPZ11-FR-05 TAX MAP: 85 Aq/Rural Aq/Rural Gen. Commercial PARCEL: 21 Previous Zoning: A COMP Property had a General Industrial designation in 1998 which was (entire parcel) ACRES: 46.71 PLAN APPLICANT: changed to Ag/Rural in 2002. Prior to 1998, property was designated LOCATION: southeast BY motion to deny. Ohannes Armani & Ag/Rural since 1984. side of Renn Road on Seda Gregian BS second. Property has had Agricultural zoning since 1972, prior to which the west side of US 340 zoning was B-1 (1959-1972). Vote: 5-0 GC - 10 ac Α Α A - 36.7 ac **ZONING** A Community Plan should be conducted for the entire area to assess industrial and commercial needs

FREDERICK RE	GION						
CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
Hilmherson i lalianters	P: 316	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore LDR on plan only. KD second. Vote: 4-1 (DG opposed)	designation, which would be consistent with City Plan. Zoning should remain Ag to facilitate annexation into the City.  Previous Comp Plan: Low Density Residential Previous Zoning: R-3  Previous Zoning: R-3  Previous Comp Plan: Low Density Residential Previous Zoning: R-3  Previous Comp Plan: Low Density Residential Previous Zoning: R-3
	McCain Dr.	ZONING	R-3	A	A		
CPZ11-FR-07  APPLICANT: Humberson Daughters LP, c/o Joann Schrodel	Butterfly Lane west of	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore LDR on plan only. KD second.	
McCain Dr.	McCain Dr.	ZONING	R-3	A	A	Vote: 4-1 (DG opposed)	
CPZ11-FR-08  APPLICANT: R. Allen Culler	TM: 76 P: 207 ACRES: 23.5 LOCATION: s/s of MD 180 near Feageville Lane	COMP PLAN	Rural Hamlet	Ag/Rural Natural Resource	Ag/Rural	BY motion to restore w/ Rural Res. plan.	Previous Comp Plan: Rural Hamlet Previous Zoning: R-1 Property is adjacent to Feageville Rural Community and is about 1/3 100-year floodplain.
		ZONING	R-1	A	R-1	KD second. Vote: 4- 1 (DG opposed)	
CPZ11-FR-09  APPLICANT: Dale G. Boyer	TAX MAP: 76 PARCEL: 101 ACRES: 4.05 LOCATION: west side MD 180 just south of I-70	COMP PLAN	Gen. Commercial Resource Conserv.	Gen. Commercial	Ag/Rural or Low Density Res.	BY motion to deny. PS second. Vote: 5-0	Previous Comp Plan: General Commercial, Resource Conservation Previous Zoning: GC Applicant's preferred zoning is A. Property currently has a residence Staff supports maintaining GC on the plan and to assess commercial needs as part of a community/corridor plan.
		ZONING	GC	GC	A or R-1		
APPLICANT: Catherine M. Smith Bi	TM: 47 P: 193 ACRES: 34.16 LOCATION: east side Bethel Road just north of Ford Rd. White Rock subdivision	COMP PLAN	Ag/Rural Low Density Res.	Natural Resource Rural Residential	Ag/Rural Rural Residential	BY motion to restore	
		subdivision	ZONING	A R-1 R-3	RC R-1 R-3	A for RC part: 26.9 ac.	PS second. Vote: 5-0 Potential subdivision under existing A lots).  RC zoning applied because

FREDERICK RE	EGION						
CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
CPZ11-FR-11  TAX MAP: 40 PARCEL: 169 ACRES: 90.93 ACRES: 90.93 LOCATION: n/s Utica Road west of Old Frederick Rd.	PARCEL: 169 ACRES: 90.93 LOCATION: n/s Utica	COMP PLAN	Ag/Rural Resource Conserv.	Ag/Rural Natural Resource	Low Density Res.	BY motion to deny. BS second. Vote: 5-0	Previous Comp Plan: Ag/Rural, Resource Conservation Previous Zoning: A, RC Was rezoned from R-1 to A in 2002. Recommend maintain A. Property is not in a growth area nor is it adjacent to Lewistown Rural Community. The property still has Ag subdivision rights (3 plus a remainder plus 1 additional cluster right. One farm lot has been used.) 1959-1991 Zoning: A 1991-2002 Zoning: R-1 2002-Current: A
	Frederick Rd.	ZONING	A RC	А	R-1		
CPZ11-FR-12  APPLICANT: Laurie Laymen Mills	TM: 40 P: 559 ACRES: 66.48 LOCATION: Powell Road	COMP PLAN	Resource Conserv. Rural Community Ag/Rural	Natural Resource Rural Community	Natural Resource Rural Community Ag/Rural	BY motion to restore KD second. Vote: 4-	Previous Comp Plan: Ag/Rural, Resource Conserv., Rural Community Previous Zoning: RC, A, R-1 The portion currently zoned R-1 (4.9 ac.) remained unchanged from 2010 Plan. Amount of requested A land is approximately 62 acres. Parcel is most likely not an original tract (assessed using aerial
		ZONING	RC R-1 (4.9 ac) A	RC R-1 (4.9 ac)	RC R-1 (4.9 ac) A	1 (DG opposed)	photography but would have to be confirmed with a Lot of Record determination). If so, there would be no subdivision potential under A, but would yield six lots under RC. Staff recommends maintaining the RC zone, which is consistent with the presence of forest cover or entire parcel and with adjoining RC.
CPZ11-FR-13  APPLICANT: Caidlyn, LLC	TAX MAP: 66 PARCEL: 597 ACRES: 22.94 LOCATION: west side Kemp Lane	COMP PLAN	Low Density Res.	Rural Residential	Low Density Res.	BY motion to restore BS second. Vote: 4-1	2010 Flam in order to correspond that the only Flam Deelghaden has
		ZONING	R-1	R-1	R-1	(DG opposed)	
CPZ11-FR-14  APPLICANT: Caidlyn, LLC	TM: 66 P: 192 ACRES: 55 LOCATION: west side Kemp Lane	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.	PS motion to restore KD second. Vote: 4-	Previous Comp Plan: Low Density Residential Previous Zoning: R-1 Property is included in the City's 20-year urban growth boundary and designated Medium Density Residential. Staff would support application of LDR or MDR plan designation but zoning should remain A to facilitate annexation.
			R-1	Α	R-1	1 (DG opposed)	Tomain A Constitute differentiation.

ZONING

COMP

PLAN

**ZONING** 

Low Density Res.

R-1

CPZ11-FR-15

Robert L. Hooper and

Paulette M. Hooper

APPLICANT:

TAX MAP: 56, 66

LOCATION: west side

Rocky Springs Rd.

Kemp Lane just south of

PARCEL: 240

ACRES: 79.68

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Ag/Rural

Low Density Res.

1 (DG opposed)

R-1

Previous Comp Plan: Low Density Residential

Previous Zoning: R-1
Previous Zoning: R-1
Property is included in the City's 20-year urban growth boundary and designated Medium Density Residential. Staff would support application of LDR or MDR plan designation but zoning should remain A to facilitate annexation.

FREDERICK RE	EGION						
CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	восс	Staff Comments
P: 1 APPLICANT: Darryl R. Oden	TM: 66 P: 137 ACRES: 25 LOCATION: west side Kemp Lane	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.	PS motion to restore. KD second. Vote: 4-	Previous Comp Plan: Low Density Residential Previous Zoning: R-1 Property is included in the City's 20-year urban growth boundary and designated Medium Density Residential. Staff would support application of LDR or MDR plan designation but zoning should remain A to facilitate annexation.
		ZONING	R-1	A	R-1	1 (DG opposed)	
CPZ11-FR-17  APPLICANT: Keller Corporation	TAX MAP: 56, 57 PARCEL: 16, 207, 390, 439, 529, 296 ACRES: 304.9 LOCATION: @ Rocky	COMP PLAN	Low Density Res. Resource Conserv.	Ag/Rural	Low Density Res.	BY motion to restore.	annexation. The annexation has unofficially been pursued by the applicant through meetings with City and County staff and development of a draft annexation boundary plat. An official petition for annexation has not been filed.  Previous Comp Plan: Rural Community Previous Zoning: R-1 Some portions of the property have characteristics that correspond to RC zoning (forest cover and steep slopes) but other portions of the site are suitable for R-1 type development (flatter, less forest cover,
	Springs Road and Yellow Springs Road	ZONING	A R-1	A	R-1	(DG opposed)	
CPZ11-FR-18  APPLICANT: Bruce & Odette Reeder	TM: 66 P: 59, Tract 2 ACRES: 32.73 ac LOCATION: e/s of Kehne Road and north of US 40	COMP PLAN	Rural Community	Natural Resource	Rural Residential	BY motion to restore. BS second. Vote: 4-1	
		ZONING	R-1	RC	R-1	(DG opposed)	
CPZ11-FR-19  APPLICANT: Gladhill Properties LTD (Maurice Gladhill)	Mount Zion Road at US	COMP PLAN	Ag/Rural	Gen. Commercial Ag/ Rural	Gen. Commercial (entire parcel)	BY motion to deny. KD second. Vote: 5-0	
(mained disami)	340 interchange	ZONING	A	A - 36.7 ac GC - 12.9 ac	A - 36.7 ac GC - 12.9 ac		
CPZ11-FR-20  APPLICANT: Channa L. Lidie & James C. Lidie Jr.	TM: 40 P: 87 ACRES: 8.78 ac LOCATION: south side of Mountaindale Road just west of Bethel Rd.	P: 87 .CRES: 8.78 ac COMP OCATION: south side of PLAN	Rural Community	Rural Community	Ag/Rural	BY motion to approve. PS second.	Previous Comp Plan: Rural Community Previous Zoning: R-1 No change in zoning from the 2010 Plan. Request is to change zoning to allow larger outbuilding. Consider addressing issue through a zoning text amendment.
			ZONING	R-1	R-1	A	Vote: 4-1 (DG opposed)

FREDERICK RE								
CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments	
CPZ11-FR-21  APPLICANT: H.F. Payne Construction Co. Inc.	TAX MAP: 40 PARCEL: 61 ACRES: 35.7 LOCATION: north side Fish Hatchery Road east of Putnam Rd.	COMP PLAN	Ag/Rural	Ag/Rural	Natural Resource	BY motion to deny. KD second.	Previous Comp Plan: Ag/Rural Previous Zoning: A No change in zoning from the 2010 Plan. The property is entirely cleared and does not have characteristics consistent with application of RC zoning. Ag subdivision rights have been expended on the property.	
		ZONING	A	A	RC	Vote: 5-0	property.	
CPZ11-FR-22	TM: 66 P: 291		LDR:	Ag/Rural	Rural Residential		Previous Comp Plan: Low Density Residential Previous Zoning: R-1	
APPLICANT: Ajay Prakash	LICANT: ACRES: 26.93 LOCATION: south side US 40Alt just west of Bleatlinger Rd.	COMP- PLAN				Property is within Frederick City 20 year to is designated Mixed Use. Staff would sugnession but the zoning should remain.	Property is within Frederick City 20-year Urban Growth Boundary and is designated Mixed Use. Staff would support an LDR plandesignation but the zoning should remain A to facilitate annexation into the City.	
WITHDRAWN		ZONING	R-1	A	R-1		*	
PAPPLICANT: Lu	TAX MAP: 48 PARCEL: 209 ACRES: 40.16 LOCATION: n/s Old Frederick Road	COMP PLAN	Ag/Rural Resource Conserv.	Ag/Rural Natural Resource	Ag/ Rural	BY motion to restore. BS second.  Previous Zoning: A, RC for portion on e/s US 15 The portion of P. 209 on the e/s of US 15 is appr And previously had RC on floodplain and remains ac.). 2010 Plan zoned entire portion RC due to f	The portion of P 200 on the e/s of LIS 15 is approximately 17 5 ac	
Hansonville Road, LLC		ZONING	A RC	A RC	A	opposed and PS abstained)	application of RC zoning.	
CPZ11-FR-24  APPLICANT: Sharon Nicholson	TM: 66 P: 105 ACRES: 8.52 LOCATION: Grove Hill Road on south side US 40	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Residential	BY motion to restore.	Previous Comp Plan: Low Density Residential Previous Zoning: R-1 Property is currently undeveloped and is included in the City's 20- year urban growth boundary, designated Low Density Residential. Staff would support LDR plan designation but maintaining the A zoning to facilitate annexation into the City. This parcel adjoins several other parcels which are an enclave completely surrounded by the City. Staff would recommend restoring the LDR plan designation on all of the parcels in this enclave.	
		ZONING	R-1	A	R-1	(DG opposed)		
CPZ11-FR-25  APPLICANT: Frederick Church of the Brethren	TAX MAP: 85 PARCEL: 83 ACRES: 111.38 LOCATION: north side of Elmer Derr Road on both sides of US 340	COMP PLAN	Resource Conserv. Ag/Rural	Natural Resources Ag/Rural	LDR (35 ac) MDR (76 ac)	Previous Zoning: A No changes in plan or zo on north side of US 340 Was Ag/Rural prior to 19	Previous Comp Plan: Ag/Rural, Resource Conservation Previous Zoning: A No changes in plan or zoning from 2010 Plan. Request LDR (35 ac. on north side of US 340 and MDR (76 ac.) on south side of US 340. Was Ag/Rural prior to 1991. Changed to LDR and MDR in 1992 Comp Plan. Returned to Ag/Rural in 2002.	
		sides of US 340		sides of US 340	ZONING	A	A	A

FREDERICK RE	EGION						
CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
APPLICANT: Winpenny Tell, LLC	TM: 57 P: 106 ACRES: 79.09 LOCATION: northeast of Yellow Springs Road off	COMP PLAN	Rural Subdivision Ag/Rural	Rural Residential Ag/Rural	Rural Residential	Previous Zoning: R-1, A No change in plan or zoning from 2010 Plan. Request to change A portion (40 ac.) to R-1 water/sewer service area. The parcel is not	
	of Winpenny Tell Dr.	ZONING	R-1 (39.1 ac) A	R-1 (39.1 ac) A	R-1 (79 ac)		
CPZ11-FR-27  APPLICANT: Walter, Dianne, and Jean Martz	TAX MAP: 56 PARCEL: 543 ACRES: 9.1 LOCATION: n/s Winpenny Drive	COMP PLAN	Rural Subdivision	Rural Residential	Rural Residential	BY motion to deny. BS second. Vote: 5-0	Previous Comp Plan: Rural Subdivision Previous Zoning: R-1 Requesting a Planned Service sewer designation. No other surrounding properties have a planned service designation and the property is not included in the Frederick Community Growth Area.
		ZONING	R-1	R-1	R-1		
CPZ11-FR-28  APPLICANT: G., F., B., and S., Kene LLC	TM: 76 P: 91 ACRES: 19.662 LOCATION: north side MD 180 just west of I-70	COMP PLAN	Office/Resch./Ind.	Ag/Rural	Office/Resch./Ind.	PS motion to restore. KD second. Vote: 4-	
		ZONING	A	A	Α	1 (DG opposed)	
CPZ11-FR-29  APPLICANT: Beattie I. Renn	TAX MAP: 48 PARCEL: 49, 55 ACRES: 222 LOCATION: north side Sundays Lane at US 15	COMP PLAN	Ag/Rural Resource Conserv.	Ag/Rural	Ag/Rural in Frederick CGA	BY motion to deny. BS second. Vote: 5-0	
		ZONING	A	A	Α		
CPZ11-FR-30  APPLICANT: Crum Land Farm Development, LLC and	TM: 48, 57 P: 66, 10, 26 ACRES: 287.429 LOCATION: w/s US 15, e of Willowbrook Road, n of	66, 10, 26 CRES: 287.429 CCATION: w/s US 15, e	Office/Research	Ag/Rural w/ Comment Area	n/a	BY motion to remove the Priority Preservation Area &Comment Area.	Property was annexed into the City in October 2009. 2010 County Plan applied Ag/Rural plan designation with a Comment Area overlay to reflect County's objection to the annexation. Request removal of Comment Area, Priority Preservation Area designation, and restoration of the W-5/S-5 classification.  Staff supports the request along with placing a Mixed Use plan
Crum Farm Comm. Development, LLC	Willow Road	ZONING	A	MU-1 in the City	n/a	PS second. Vote: 4-1 (DG opposed)	designation on the site.

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
CPZ11-FR-31  APPLICANT: COPT Frederick, LLC	P: 5 ACRES: 111.54 ANT: LOCATION: past side US	COMP PLAN	Office/Research	Ag/Rural w/ Comment Area	n/a	the Priority	Property was annexed into the City in October 2009. 2010 County Plan applied Ag/Rural plan designation with a Comment Area overlay to reflect County's objection to the annexation. Request removal of Comment Area, Priority Preservation Area designation, and restoration of the W-5/S-5 water sewer classification. Staff supports the request along with placing an ORI plan designation on the site.
		ZONING	A RC	MO in the City	n/a		
CPZ11-FR-32  APPLICANT: Crum Land Farm Development, LLC and	TAX MAP: 48, 57 PARCEL: 17, 190, 102 ACRES: 245.19 LOCATION: n/s Willowbrook Road, w/s of	COMP PLAN	Ag/Rural Resource Conserv.	Ag/Rural	Ag/Rural in Frederick CGA	Previous Zoning: A No changes in plan or zoning from 2010 Plan. Rec the Frederick City Growth Boundary. The property City's 20-year urban growth boundary, but is in the BS second.  Previous Zoning: A No changes in plan or zoning from 2010 Plan. Rec the Frederick City Growth Boundary. The property City's 20-year urban growth boundary, but is in the Interest". Staff recommends only amending the Co	Previous Comp Plan: Ag/Rural, Resource Conservation Previous Zoning: A No changes in plan or zoning from 2010 Plan. Request inclusion in the Frederick City Growth Boundary. The property is <u>not</u> within the City's 20-year urban growth boundary, but is in the City's "Area of Interest". Staff recommends only amending the County Growth
Crum Form Comm Sundays	Sundays Lane, east and west of Bloomfield Road	ZONING	A	A	A		Boundary in response to a change in the City Growth Boundary.
P: 45 APPLICANT: Grove Joint Venture LOC.	TM: 76 P: 45, 156 ACRES: 252.7 LOCATION: s/s I70, east of Mt. Philip Road	's I70, east	Resource Conserv. Ag/Rural	Natural Resource Ag/Rural	Natural Resource Ag/Rural in Frederick CGA	BY motion to deny. KD second.	Previous Comp Plan: Ag/Rural, Resource Conservation Previous Zoning: A No changes in plan or zoning from the 2010 Plan. Request inclusion in the Frederick City Growth Boundary Neither parcel is located within the City's 20-year urban growth boundary, but are in the City's "Area of Interest". Staff recommends
		ZONING	A	A	А	Vote: 5-0	only amending the County Growth Boundary in response to a change in the City Growth Boundary.
CPZ11-FR-34  APPLICANT: Staff	TM: 85 P: 135 ACRES: 1.03 LOCATION: w/s Ballenger Creek Pike south of Tuscarora HS	ES: 1.03 COMP ATION: w/s Ballenger k Pike south of	Ag/Rural	Institutional	Med. Density Res.	BY motion to accept application from staff.	Previous Comp Plan: Ag/Rural Previous Zoning: A There was a mapping error in the 2010 Plan that included the parcel, thought to be part of the high school, as Institutional on the plan and zoning. Property has a residence on it so plan and zoning should reflect
			A	1	R-3	BS second. Vote: 5-0	residential use.